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11 *Attorneys for Plaintiff, The Bank of New York Mellon f/k/a The Bank of New York as Trustee for*
12 *the Holders of the SAMI II Trust 2006-AR7*

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 THE BANK OF NEW YORK MELLON
16 F/K/A THE BANK OF NEW YORK, AS
17 TRUSTEE FOR THE HOLDERS OF THE
18 SAMI II TRUST 2006-AR7,

19 Plaintiff,

20 vs.

21 FIDELITY NATIONAL TITLE
22 INSURANCE COMPANY, AS SUCCESSOR
23 TO UNITED CAPITAL TITLE INSURANCE
24 COMPANY; DOES I THROUGH X; AND
25 ROE CORPORATIONS I THROUGH X,

26 Defendants.

Case No.: 2:20-cv-02124-ART-BNW

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO CONTINUE
STAY, OR IN THE ALTERNATIVE,
FILE A PROPOSED DISCOVERY PLAN**

(Third Request)

27 Plaintiff, The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the
28 Holders of the SAMI II Trust 2006-AR7 (“BONY”) and Defendant, Fidelity National Title
Insurance Company, as successor to United Capital Title Insurance Company (“Fidelity”), by and
through their undersigned counsel, stipulate and agree as follows:

1. On March 11, 2021, BONY filed its Amended Complaint against Fidelity [ECF
No. 19];

2. Thereafter, on May 2, 2022, the Court ordered that the stay in the instant action
shall be extended six (6) months, through October 28, 2022 [ECF No. 51].

1 3. On October 21, 2022, the Parties filed a Joint Status Report informing the Court
2 that the Parties are evaluating whether to continue the stay of this case and requesting a thirty (30)
3 day deadline to submit a stipulation or motion to extend the stay, or in the alternative, a new
4 discovery plan [ECF No. 53];

5 4. On December 21, 2022, the Parties submitted a stipulation to extend the deadline
6 to submit a stipulation or motion to extend the stay, or in the alternative, a new discovery plan
7 until January 20, 2023 [ECF No. 58]. That stipulation remains pending the Court's approval.

8 5. Counsel for BONY needs additional time to confer with its client as to whether to
9 continue the stay of this case in light of the recent holidays. BANA requests an additional fourteen
10 (14) days, through and including February 3, 2023, to file the stipulation or motion to extend the
11 stay, or in the alternative, a new discovery plan;

12 6. Counsel for Fidelity does not oppose the requested extension;

13 7. This is the third request for an extension which is made in good faith and not for
14 purposes of delay.

15 **IT IS SO STIPULATED.**

16 DATED this 20th day of January, 2023.

 DATED this 20th day of January, 2023.

17 WRIGHT, FINLAY & ZAK, LLP

 SINCLAIR BRAUN LLP

18 /s/ Lindsay D. Dragon, Esq.

/s/ Kevin S. Sinclair, Esq.

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 Attorneys for Defendant, Fidelity National Title

24 York Mellon f/k/a The Bank of New York as

 Insurance Company, as successor to United

25 Trustee for the Holders of the SAMI II Trust

 Capital Title Insurance Company

26 2006-AR7

27 **ORDER**

28 **IT IS SO ORDERED**

DATED: 5:11 pm, January 24, 2023



BRENDA WEKSLER

UNITED STATES MAGISTRATE JUDGE